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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 12-0860 YGR
)	
Plaintiff,)	
)	STIPULATION AND PROTECTIVE
v.)	ORDER RE: DISCOVERY OF FORENSIC
)	IMAGE OF DEFENDANT'S KAISER
SALEEM M. KHAN,)	PERMANENTE WORK COMPUTER
)	
Defendant.)	

The defendant Saleem M. Khan ("defendant") is charged with one count of bank fraud, in violation of 18 U.S.C. § 1344, and one count of making false statements to a financial institution, in violation of 18 U.S.C. § 1014.

The United States will produce to counsel for the defendant copies of digital media that the United States has obtained from the defendant's former employer, Kaiser Permanente (hereafter "the Kaiser digital media"). This discovery will consist of a forensic image of the defendant's Kaiser Permanente work computer. The Kaiser digital media may contain confidential business information of Kaiser Permanente. Accordingly, pursuant to Federal Rule of Criminal Procedure 16(d), the parties stipulate, and the Court orders, that disclosure of these materials shall be subject to the following restrictions:

1. Except when being actively examined for the purpose of the preparation of the

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1 defense of the defendant, the Kaiser digital media produced by the United States to defense
2 counsel, Christopher J. Cannon, shall be maintained in a safe and secure location that is
3 accessible only to Mr. Cannon or other attorneys and employees of his law office. Mr. Cannon
4 shall not permit any person access of any kind to the Kaiser digital media except as set forth
5 below.

6 2. The following individuals may examine the Kaiser digital media for the sole
7 purpose of preparing the defense of the defendant and for no other purpose:

- 8 a) Counsel for the defendant, Christopher J. Cannon, and any other attorneys in his
9 law office;
10 b) Paralegals and investigators employed, associated with, or hired by Mr. Cannon
11 or his law office, including any computer systems administrators;
12 c) The defendant Saleem M. Khan; and
13 d) Any outside expert retained by the defendant to analyze the Kaiser digital media
14 in this matter.

15 3. A copy of this Order shall be maintained with the Kaiser digital media at all
16 times.

17 4. No other person may be allowed to examine the Kaiser digital media without
18 further court order. Examination of the Kaiser digital media shall be done in a secure
19 environment that will not expose the materials to other individuals not listed above.

20 5. Word processing files, e-mails, and other text files contained on the Kaiser digital
21 media may be duplicated to the extent necessary to prepare the defense of this matter.

22 6. The computer from which the Kaiser digital media will be accessed shall not be
23 connected to the Internet or to any other computer network.

24 7. Within 30 court days of the judgment and sentencing hearing in this matter, or
25 other termination of this matter, Mr. Cannon shall destroy the Kaiser digital media. If an appeal
26 is noticed and Mr. Cannon continues to represent the defendant on appeal, he may continue to

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1 retain possession of the Kaiser digital media according to the terms of this Order until the
2 conclusion of the matter in the Court of Appeals.

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4 SO STIPULATED:

5 DATED: March 13, 2013


_____/s/_____
CHRISTOPHER J. CANNON
Attorney for defendant Saleem M. Khan

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7
8 DATED: March 12, 2013

_____/s/_____
KYLE F. WALDINGER
Assistant United States Attorney

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10
11 IT IS ORDERED.

12 DATED: March 14, 2013


YVONNE GONZALEZ ROGERS
United States District Judge